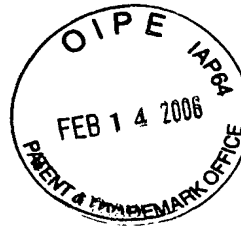


**CERTIFICATE OF MAILING**

I hereby certify that this paper is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF; Commissioner for Patents; P.O. Box 1450; Alexandria, VA 22313-1450 on February 9, 2006.



**PATENT**

*Bonnie S. Dell*  
**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

Applicant: Peter Neubauer et al :  
Serial No.: 10/070,787 : Group Art Unit: 1653  
Filed: June 18, 2002 : Examiner: R. Mondesi  
For: **Method for Increasing the Yield of Recombinant Proteins in Microbial Fermentation Processes**

**TERMINAL DISCLAIMER**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Petitioner, Pharmacia AB, a corporation organized and existing under the laws of Sweden and having a business address at SE-112 87, Stockholm, Sweden, is the owner of the entire right, title and interest in the above-identified U.S. Patent Application Serial No. 10/070,787, by virtue of an Assignment recorded on June 19, 2002 at Reel 013013, Frame 0213.

Petitioner is also the owner of the entire right, title and interest in U.S. Patent No. 6,680,181 B2, by virtue of the Assignment recorded on March 2, 2001 at Reel 011585, Frame 0823.

Petitioner hereby disclaims, except as provided below, the terminal part of any patent issuing on U.S. Patent Application Serial No. 10/070,787 which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §154 to §156 and §173, as shortened by any terminal disclaimer filed prior to the grant, of U.S. Patent No. 6,680,181 B2. Petitioner hereby agrees that any patent issuing on U.S. Application Serial No. 10/070,787 shall be enforceable only for and during such period that it and U.S. Patent No.

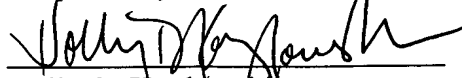
6,680,181 B2 are commonly owned. This agreement runs with any patent issuing on U.S. Application Serial No. 10/070,787 and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent issuing on U.S. Application Serial No. 10/070,787 that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §154 to §156 and §173 of U.S. Patent No. 6,680,181 B2, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that such patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

The undersigned is an attorney or agent of record and is empowered to act on behalf of the assignee. The undersigned hereby declares that all statements made herein of her own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Please charge the \$130.00 fee required for filing this Terminal Disclaimer, to our Visa Account. Form PTO-2038 is attached.

Respectfully submitted,



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